

SENATE BILL 865

Unofficial Copy
F1

2004 Regular Session
4r3079
CF 4r3042

By: **Senator Colburn**

Introduced and read first time: February 23, 2004

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Quality Teacher Incentives - Classroom Teachers - Specialists**

3 FOR the purpose of altering the definition of classroom teacher to include certain
4 specialists so that certain specialists may qualify for certain quality teacher
5 incentives; and generally relating to quality teacher incentives for specialists.

6 BY repealing and reenacting, with amendments,
7 Article - Education
8 Section 6-306
9 Annotated Code of Maryland
10 (2001 Replacement Volume and 2003 Supplement)

11 BY repealing and reenacting, with amendments,
12 Article - Tax - General
13 Section 10-717
14 Annotated Code of Maryland
15 (1997 Replacement Volume and 2003 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
17 MARYLAND, That the Laws of Maryland read as follows:

18 **Article - Education**

19 6-306.

20 (a) (1) In this [section,] SECTION THE FOLLOWING WORDS HAVE THE
21 MEANINGS INDICATED.

22 (2) "CLASSROOM TEACHER" INCLUDES GUIDANCE COUNSELORS,
23 LIBRARY MEDIA SPECIALISTS, READING TEACHERS, READING SPECIALISTS, SPEECH
24 PATHOLOGISTS, AUDIOLOGISTS, OCCUPATIONAL THERAPISTS, AND PHYSICAL
25 THERAPISTS.

1 (3) ["county] "COUNTY grant for national certification" means an annual
2 grant distributed to a teacher certified by the National Board for Professional
3 Teaching Standards established:

4 [(1)] (I) Outside of the collective bargaining process; or

5 [(2)] (II) As part of a collective bargaining agreement with the local
6 employee organization.

7 (b) (1) For fiscal year 2000 and each subsequent fiscal year, the Governor
8 shall include in each year's operating budget funding for the stipends and bonuses
9 provided in this subsection.

10 (2) A classroom teacher who holds a standard professional certificate or
11 an advanced professional certificate who is employed by a county board and who
12 holds a certificate issued by the National Board for Professional Teaching Standards
13 shall receive a stipend from the State in an amount equal to the county grant for
14 national certification, up to a maximum of \$2,000 per qualified teacher.

15 (3) (i) An individual who graduates from an accredited institution of
16 higher education with a grade point average of at least 3.5 on a 4.0 scale or its
17 equivalent, becomes employed by a county board, and remains employed as a
18 classroom teacher in the public school system for a minimum of 3 consecutive years
19 shall receive a salary signing bonus of \$1,000.

20 (ii) If the individual leaves employment with the public school
21 system before the end of the 3-year commitment, the individual shall reimburse the
22 State in the amount of \$1,000.

23 (4) A classroom teacher who holds an advanced professional certificate
24 and teaches in a public school identified by the State Board as a reconstitution school,
25 a reconstitution-eligible school, or a challenge school shall receive a stipend from the
26 State in the amount of \$2,000 for each year that the teacher performs satisfactorily in
27 the classroom.

28 (c) An individual who receives a stipend or bonus under subsection (b) of this
29 section may not be deemed an employee of the State.

30 (d) The employer of an individual who receives a stipend or bonus under
31 subsection (b) of this section shall pay the increase in fringe benefit costs associated
32 with the stipend or bonus.

33 (e) The Department shall act as fiscal agent for funds disbursed under this
34 section.

1

Article - Tax - General

2 10-717.

3 (A) IN THIS SECTION, "CLASSROOM TEACHER" INCLUDES GUIDANCE
4 COUNSELORS, LIBRARY MEDIA SPECIALISTS, READING TEACHERS, READING
5 SPECIALISTS, SPEECH PATHOLOGISTS, AUDIOLOGISTS, OCCUPATIONAL THERAPISTS,
6 AND PHYSICAL THERAPISTS.

7 [(a)] (B) An individual who is a classroom teacher holding a standard
8 professional certificate or an advanced professional certificate may claim a credit
9 against the State income tax for up to \$1,500 of tuition paid by the individual during
10 the taxable year for graduate level courses required to maintain certification if the
11 individual:

12 (1) successfully completes the courses with a grade of B or better;

13 (2) is employed by a county board of education;

14 (3) teaches in a public school and receives a satisfactory performance
15 evaluation for that teaching; and

16 (4) has not been reimbursed by the county for the tuition paid.

17 [(b)] (C) (1) If a county partially reimburses an individual for tuition paid,
18 the individual may claim a tax credit allowed under this section for the balance of the
19 tuition not paid by the county.

20 (2) The credit allowed under this section may not exceed the State
21 income tax for that taxable year, calculated before the application of the credits
22 allowed under this section and §§ 10-701 and 10-701.1 of this subtitle but after the
23 application of the other credits allowable under this subtitle.

24 (3) The unused amount of the credit for any taxable year may not be
25 carried over to any other taxable year.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
27 July 1, 2004.